

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Kain on July 15, 2008 and Sept 3, 2008.

The application has been amended as follows:

Claim 44 has been replaced by --

-- Claim 44, A computerized method of establishing and maintaining a financial product as a life insurance product for an insured party comprising:  
electronically processing an initial funding premium for said life insurance financial product; subtracting funding charges from said initial funding premium and determining an initial cash surrender value for said life insurance financial product thereafter;  
allocating said initial funding premium to one or more sub-accounts of different financial investment funds or accounts;  
on a daily basis, electronically determining account values for said different funds and accounts and calculating a corresponding cash surrender value for said life insurance financial product;  
electronically determining a life insurance base death benefit amount for said insured as a function of said corresponding cash surrender value sufficient to retain life insurance status under a net single premium method based on age declining ratio to cash value amount for said life insurance financial product and age of the insured and his/her risk classification and smoking status, said life insurance base death benefit amount increasing and decreasing based upon said corresponding cash surrender value;  
electronically deducting a cost of an at-risk insurance amount corresponding to said death benefit amount from said corresponding cash surrender value sufficient to retain life insurance status for

Art Unit: 3692

said life insurance financial product minimizing said cost of said at-risk insurance amount in order to maximize said cash surrender value for said life insurance financial product; electronically funding said life insurance financial product with additional funding premiums and setting forth, in a schedule, said additional funding premiums, said schedule set forth in a policy established at the time said life insurance financial product is issued; and electronically processing said additional funding premiums set forth in said schedule without establishing insurability upon acceptance of said additional funding premiums such that each funding for said life insurance product acquires an amount of life insurance that varies with investment results over time.

Claim 62 has been replaced by --

-- Claim 62, A computerized method of establishing and maintaining a financial product as a life insurance product for an insured party comprising:  
electronically processing an initial funding premium for said life insurance financial product;  
electronically determining an initial cash surrender value for said life insurance financial product by accounting for said initial funding premium allocated in one or more investment accounts;  
electronically determining daily account values for said investment accounts and calculating a corresponding cash surrender value for said life insurance financial product;  
electronically determining a death benefit amount for said insured as a function of said corresponding cash surrender value sufficient to retain life insurance status for said life insurance financial product, said death benefit amount increasing and decreasing based upon said corresponding cash surrender value;  
electronically deducting a cost of an at-risk insurance amount corresponding to said death benefit amount from said corresponding cash surrender value sufficient to retain said life insurance status;  
minimizing said cost of said at-risk insurance amount in order to maximize said cash surrender value for said life insurance financial product;  
electronically funding said life insurance financial product with additional funding premiums and setting forth, in a schedule, said additional funding premiums, said schedule set forth in a policy established at the time said life insurance financial product is issued; and

Art Unit: 3692

electronically processing said additional funding premiums set forth in said schedule without establishing insurability upon acceptance of said additional funding premiums such that each funding for said life insurance product acquires an amount of life insurance that varies with investment results over time.

Claim 84 has been replaced by --

-- Claim 84, A computerized method of establishing and maintaining a financial product as a life insurance product for an insured party comprising:

electronically processing an funding initial funding premium for said life insurance financial product;

electronically determining an initial cash surrender value for said life insurance financial product by accounting for said initial funding premium allocated in one or more investment accounts; upon fluctuation of said investment accounts or on a daily basis, determining account values for said investment accounts and calculating a corresponding cash surrender value for said life insurance financial product;

electronically determining a death benefit amount for said insured as a function of said corresponding cash surrender value sufficient to retain life insurance status for said life insurance financial product, said death benefit amount increasing and decreasing based upon said corresponding cash surrender value;

electronically deducting a cost of an at-risk insurance amount corresponding to said death benefit amount from said corresponding cash surrender value sufficient to retain said life insurance status;

minimizing said cost of said at-risk insurance amount in order to maximize said cash surrender value for said life insurance financial product;

funding said life insurance financial product with additional funding premiums and setting forth, in a schedule, said additional funding premiums, said schedule set forth in a policy established at the time said life insurance financial product is issued; and

electronically processing said additional funding premiums set forth in said schedule without establishing insurability upon acceptance of said additional funding premiums such that each

Art Unit: 3692

funding for said life insurance product acquires an amount of life insurance that varies with investment results over time

Claim 97 has been replaced by --

-- Claim 97, A computerized method of establishing and maintaining a financial product as a life insurance product for an insured party comprising:

electronically processing an initial funding premium for said life insurance financial product with;

electronically determining an initial cash surrender value for said life insurance financial product by accounting for said initial funding premium allocated in one or more investment accounts; minimizing life insurance costs by:

electronically determining daily account values for said investment accounts and calculating a corresponding cash surrender value for said life insurance financial product;

electronically determining daily a minimum amount of life insurance death benefit for said insured as a function of said corresponding cash surrender value, said minimum life insurance with death benefit being that minimum required to maintain said life insurance financial product as life insurance and said death benefit amount increasing and decreasing based upon said corresponding cash surrender value;

electronically deducting a cost of an at-risk insurance amount corresponding to said death benefit amount from said corresponding cash surrender value sufficient to retain life insurance status for said life insurance financial product;

minimizing said cost of said at-risk insurance amount in order to maximize said cash surrender value for said life insurance financial product;

electronically funding said life insurance financial product with additional funding premiums and setting forth, in a schedule, said additional funding premiums, said schedule set forth in a policy established at the time said life insurance financial product is issued; and

electronically processing said additional funding premiums set forth in said schedule without establishing insurability upon acceptance of said additional funding premiums such that each funding for said life insurance product acquires an amount of life insurance that varies with investment results over time.

### **Allowable Subject Matter**

1. Claims 44-47, 49-51, 53-54, 57-68, 71, 73-78, 81, 83-91, 94-104, 107-108, are allowable over the prior art of record and has argued by Applicant's representative in their response dated 6/6/2008.

### **Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement Graham whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3692

CG

/Frantzy Poinvil/

Primary Examiner, Art Unit 3692

July 19, 2008